

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
In re CALPINE CORPORATION, : : 08 Civ. 1286 (VM)  
Debtor, :  
: :  
COMPANIA INTERNACIONAL FINANCIERA : :  
S.A., COUDREE GLOBAL EQUITIES FUND, : :  
STANDARD BANK OF LONDON, LEONARDO : :  
CAPITAL FUND SPC, : :  
: :  
Appellants, : :  
: :  
CALPINE CORPORATION : :  
The Official Committee of Unsecured : :  
Creditors of Calpine Corporation. : :  
: :  
Appellee. : :  
----- X  
----- X  
In re CALPINE CORPORATION, : : 08 Civ. 1717 (DLC)  
Debtor, :  
: :  
ELIAS A. FELLUSS, : :  
: :  
Appellant, : :  
: :  
CALPINE CORPORATION : :  
The Official Committee of Unsecured : :  
Creditors of Calpine Corporation. : :  
: :  
Appellee. : :  
----- X  
----- X  
In re CALPINE CORPORATION, : : 08 Civ. 1815 (RJS)  
Debtor, :  
: :  
DAVID FLAIR, : :  
: :  
Appellant, : :  
: :  
CALPINE CORPORATION : :  
The Official Committee of Unsecured : : **ORDER**  
Creditors of Calpine Corporation. : :  
: :  
Appellee. : :  
----- X

**VICTOR MARRERO, United States District Judge.**

Upon review of the petitions and other papers filed with the Court in connection with the three Bankruptcy Court appeals captioned above, the Court noted that the appellants describe the same or substantially similar underlying events and operative facts arising from the same Bankruptcy Court Order, and assert the same or substantially similar requests for relief against the same appellees and that some of the parties in all the actions are represented by the same counsel. By Order dated February 1, 2008 following a hearing on a request for a stay and other emergency relief, Judge Laura Swain directed consolidation of the appeals in No. 08 Civ. 1286 and 08 Civ. 1815. Accordingly, it is hereby

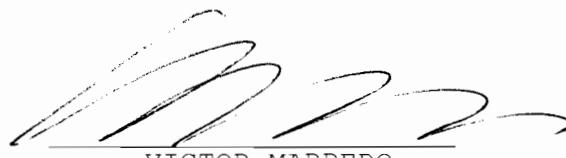
**ORDERED** that the Clerk of Court is directed to consolidate the three cases captioned above for all purposes; and it is further

**ORDERED** that all filings in connection with the consolidated action be docketed against the remaining lower number case, 08 Civ. 1286; and its finally

**ORDERED** that the Clerk of Court close the referenced higher numbered cases, 08 Civ. 1717 (DLC) and 08 Civ. 1815 (RJS) as separate actions and remove them from the Court's docket.

**SO ORDERED.**

Dated: NEW YORK, NEW YORK  
28 February 2008



VICTOR MARRERO  
U.S.D.J.

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